

Process Servers, Court and Clerk's Office Information and Exchange Presentation

July 26, 2005

Minutes

Welcoming Remarks

- Michael K. Jeanes, Clerk of the Superior Court, welcomed the attendees. He encouraged the group to visit the Clerk's Website for meeting dates and times. Changes or updates will be noted there. (http://www.clerkofcourt.maricopa.gov/process_svr.asp)

E-File Update

- Michael K. Jeanes, Clerk of the Superior Court, provided the E-File update. Civil Complex Litigation E-Filing began on December 8, 2003. The attorneys involved are pleased with the process. A Criminal E-File Pilot began in the DUI Courts and Judge Donahoe's on April 25, 2005 and the Civil E-File Pilot began in Judge Swann's Division on June 20, 2005. Responses have been positive. Mr. Jeanes will be meeting with Judge Swann next week to discuss expansion (additional cases) for the pilot. Additionally, he will be meeting with Judge Davis in the fall to develop a timeline of an E-File Pilot for Family Court cases. The Office is in the process of qualifying three vendors to be authorized to provide E-File services. The Criminal E-File Pilot began with a program developed in-house by the Clerk's Office.
- The Clerk's Office has plans to provide parties and/or their legal counsel access to their court documents via the internet. There is no timeline to expand access to documents via the internet past the actual parties. This is a national issue and the Supreme Court in Arizona has expressed concerns of confidentiality with regard to identify theft. Mr. Jeanes discussed changes to Rule 123, Public Access to Court Records (effective December 1, 2005). This rule allows for a "Sensitive Data Sheet" to be completed that will not reside with the public court file. Mr. Jeanes advised the group they could view the Rule via the Supreme Court's site at: http://www.supreme.state.az.us/nav2/opin_rule_order.htm and reiterated that court files are not the official source that should be used for background checks.
- A suggestion / question came from the audience about the possibility of E-Filing Affidavits of Service with the Clerk's Office. This will be reviewed, but will need to be implemented at the appropriate phase of the project. It was also suggested by a member of the group that the Clerk's Office involve the user's to obtain input on automation needs, prior to implementation.
- A suggestion to update the Court's Website to properly reflect the current Presiding Judge was made.

Staffing Issues

- Mr. Jeanes informed the group that the Office currently has 76 vacant positions, which supervisors are aggressively trying to fill. This translates to shortages in staffing at the File Counters. Mr. Jeanes asked for the group's cooperation in avoiding late-in-the-day, large number of filings. This results in security and overtime pay issues. He also encouraged the use of the Night Depository Box and the Internal Depository Boxes when possible. If clients are reluctant to make use of the Depository Boxes, Mr. Jeanes would be willing to meet with those individuals and address their concerns. It was suggested that the Office issue a memo to all law firms and / or publish a notice in an industry-related periodical to solicit the use of the Night / Internal Depository Boxes. It was also suggested that the Night Depository Box could be used for the County Recorder documents. Mr. Jeanes will follow up with Helen Purcell on this suggestion. (A concern was voiced that filing fee checks are not always properly secured to the pleading; it comes apart and causes confusion or delays of the process.) The process servers also thought if an electric stapler was provided at these sites, it would assist with increased usage.

Justice Courts Topics

- Brian Karth, Limited Jurisdiction Courts Administrator, and Dennis Metrick, Justice Courts Operations Director, were introduced to address Justice Courts topics. Items discussed in an open forum were:
 - Justice Courts co-located sites: These decisions were made for fiscal and resource reasons. Discussion is currently taking place with regard to the "redistricting" of Justice Courts due to population fluxuation and Justice Courts' workloads.

- ✓ The new Northeast Court facility (40th Street / Union Hills at SR51) is scheduled to open on October 24th for Justice Court cases. It will house the Scottsdale, Northwest Phoenix and Northeast Phoenix Justice Courts. Separate Drop Boxes will be located at this facility for both Superior Court and Justice Court filings.
- ✓ The Northwest Court facility (in Surprise) will house the Wickenburg Justice Court (three days a week), the El Mirage Municipal Court (temporarily) and the Peoria, Glendale and North Valley Justice Courts. These moves are schedule for January 2006.
- ✓ The Downtown Court facility (5th Avenue and Jackson) will house the Clerk of Court's Administrative Offices and five Justice Courts – East Phoenix #1, East Phoenix #2, West Phoenix, South Phoenix and Central Phoenix. This facility has an estimated completion date of late 2006.
- ✓ There have also been discussions regarding the co-location of Justice Courts at the Southeast Adult Court or another location in the east valley vicinity.
- The Process Servers List maintained by the Limited Jurisdiction Courts Administration Office:
 - ✓ Mr. Karth advised the group that his Office will no longer continue to maintain this list. The list has been used long enough for all process servers to obtain their own advertising. He shared that starting in November, customers will be referred to the yellow pages for these services.

Filing Fee Changes

- Mr. Jeanes announced that the only Filing Fee and Answer changes due to Legislative action is the establishment of a Juvenile Emancipation Petition. The filing fees will be posted for the public and on the Clerk of Court's Website prior to the August 12th effective date.

Court Administration Topics

- Barbara Daniels from Family Court Administration was introduced to provide Judicial Rotation and Northeast Court Facility Updates.
 - ✓ Ms. Daniels provided a handout of the updated Rotation information. Judicial Rotations will continue to occur throughout the year – no longer just annually or twice a year.
 - ✓ She also announced that the projected opening date for the new Northeast Court Facility is September 19th for Superior Court cases

Other Items

- Having no additional items, the meeting was adjourned at 1:15 p.m.